

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
JUNE 2, 2003

**D041438        In re James B., a Juvenile**

The order is affirmed. Kremer, P.J.; We Concur: Nares, J., Haller, J.

**D041685        In re Brown on Habeas Corpus**

The above-entitled petition is dismissed. The petition is refiled as a supplement to the petition for writ of habeas corpus, In re Lawrence Brown, D041687.

**D041687        In re Brown on Habeas Corpus**

The petition is denied.

**D041543        Brott et al. v. North County Transit District**

The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
JUNE 3, 2003

**D040864        In re Matthew R., a Juvenile**

The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., Haller, J.

**D040813        People v. Thomas**

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

**D041235        People v. Thornton**

Judgment affirmed. McIntyre, J.; We Concur: Kremer, P.J., O'Rourke, J.

**D038373        People v. Dumas**

The judgment is reversed for the robbery of Boll Weevil (count five). The trial court shall amend the Abstract of Judgment accordingly, and forward it to the Department of Corrections. In all other respects, the judgment is affirmed. Haller, J.; We Concur: Huffman, Acting P.J., Nares, J.

**D041881        In re Lin on Habeas Corpus**

The petition is denied.

**D041852        People v. Rollins**

Upon filing an abandonment of appeal, the appeal is dismissed.

**D042169        Jensen & Associates v. Superior Court of San Diego County/Mendoza**

The petition is denied.

**D041879        In re Adamz on Habeas Corpus**

The petition is denied.

**D038997        Feurzeig v. Insurance Company of the West**

The petition for rehearing and modification is denied. The motion to augment the record on appeal is denied.

**D042185        In re Thompson on Habeas Corpus**

The petition is denied without prejudice.

**D041844        Baumer v. Superior Court of San Diego County/People**

The petition is denied.

**D042184        In re Johnson on Habeas Corpus**

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
JUNE 4, 2003

**D041633        In re Aceves on Habeas Corpus**

The petition is denied.

**D040185        Conservatorship of the Person of Francine S.**

The order denying Grace's petition to appoint a successor conservator is affirmed. Sandra Smith, appellate counsel for Grace, is ordered to pay \$500 in sanctions to Christine. Christine is to recover her costs on appeal. Nares, Acting P.J., Haller, J., McIntyre, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
JUNE 5, 2003

**D040133      Trident Web Offset, Inc. et al. v. Employers Mutual Casualty Company**  
Summary judgment is affirmed. Huffman, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

**D041119      People v. Kozmer**  
The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

**D041149      In re J.B., a Juvenile**  
The order summarily denying Junius's section 388 petition and issuing letters of guardianship is reversed. The matter is remanded to the juvenile court with directions to conduct an evidentiary hearing on the petition. McIntyre, J.; We Concur: Huffman, Acting P.J., McConnell, J.

**D041782      Schmidt et al. v. Superior Court of San Diego County/Scherer et al.**  
The petition is denied.

**D040281      Battaglia v. Gere**  
The order is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., McConnell, J.

**D039445      Serena Community Association v. Brehm Communities, Inc., et al./MJS Roofing**  
The judgment is reversed and judgment is to be entered in favor of MJS and against Brehm and Serena consistent with this opinion. MJS is to receive its costs on appeal. Nares, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

**D041473      In re Jonathon O., a Juvenile**  
Judgment affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Huffman, J.

**D042171      Lim v. Do**  
Pursuant to California Rules of Court, rule 8, the appeal filed May 9, 2003, is dismissed for failure of appellant to timely deposit costs for preparing the record on appeal.

**D041710      In re Perez on Habeas Corpus**  
The petition is denied.

**D041869      In re Gonzales on Habeas Corpus**  
The petition is denied.

**D041868      In re Pineda on Habeas Corpus**  
The petition is denied.

**D041483      Krajewski et al. v. Sotka**  
The appeal is dismissed.

COURT OF APPEAL OF THE STATE OF CALIFORNIA  
FOURTH APPELLATE DISTRICT  
DIVISION ONE  
JUNE 6, 2003

**D039267        Loshonkohl v. Kinder**

The judgment is affirmed. Loshonkohl is to recover costs. CERTIFIED FOR PUBLICATION.  
McIntyre, J.; We Concur: Benke, Acting P.J., McDonald, J.

**D041785        Scripps Health v. Superior Court of San Diego County/Reynolds et al.**

Let a writ issue directing the superior court to vacate its February 21, 2003 order granting the discovery motion, and to enter a new and different order denying the motion. Our temporary stay of the trial is vacated. Petitioner is entitled to costs in this writ proceeding. CERTIFIED FOR PUBLICATION.  
McIntyre, J.; We Concur: Nares, Acting P.J., McConnell, J.

**D041082        In re Eric B. et al., Juveniles**

**D041411        In re Eric B. et al., Juveniles**

(consolidated) The December 30, 2002 orders summarily denying Gwendolyn's section 388 petition, granting Gwendolyn liberal visitation to be arranged between her and the guardians, and terminating jurisdiction are reversed. The trial court is directed to hold a hearing on the merits of Gwendolyn's December 2002 section 388 modification petition. If, after hearing evidence on that petition, the court denies the petition on its merits, the court is directed to enter visitation orders consistent with the views expressed in this opinion. McDonald, J.; We Concur: Kremer, P.J., Haller, J.

**D038973        People v. Harper**

The judgment is affirmed. The 10-year gang enhancement imposed pursuant to section 186.22 is ordered stricken and the abstract of judgment amended to reflect the striking of the enhancement and the 15-year minimum parole eligibility of section 186.22, subdivision (b)(5). The superior court is directed to amend the abstract of judgment accordingly and to forward a certified copy of the amended abstract to the Department of Corrections. CERTIFIED FOR PUBLICATION. McConnell, J.  
We Concur: Haller, Acting P.J., McIntyre, J.